

Message Text

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ORIGIN EB-08

INFO OCT-01 EA-10 IO-13 ISO-00 EPA-01 STR-07 OES-09
HEW-04 AGR-01 CEQ-01 COME-00 TRSE-00 L-03 SP-02
CIAE-00 INR-10 NSAE-00 /070 R

DRAFTED BY EB/OT/STA:LBLEVINE:JH
APPROVED BY EB/OT/STA:JSSPIRO
EPA:DKAMPT (SUBS)
STR:SSCHWAB (INFO)
OES/EN/ENP:JBLANCHARD
EA/ANP:CTWINING
FDA:WKUSTKA
EB/EWT:PHBLAKEBURN
-----082295 032004Z /61
P R 031918Z AUG 78
FM SECSTATE WASHDC
TO AMEMBASSY WELLINGTON PRIORITY
INFO USMISSION GENEVA

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E.O. 11652: N/A

TAGS: EAGR, ETRD, SENV, NZ

SUBJECT: NEW ZEALAND EXPORTS OF KIWIFRUIT

REF: WELLINGTON 3788

1. FOOD AND DRUG ADMINISTRATION (FDA) DID DETAIN SEVERAL SHIPMENTS OF KIWIFRUIT IN SEATTLE AND LOS ANGELES IN LATE JUNE FOR HAVING UNACCEPTABLE LEVELS OF GUTHION AND IMIDAN (PHOSMET) RESIDUES. THERE HAVE BEEN NO REGULATIONS PUBLISHED ESTABLISHING TOLERANCES FOR RESIDUES OF GUTHION OR IMIDAN ON KIWIFRUIT; THEREFORE, THE PERMITTED TOLERANCE
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IS ZERO (WHETHER OR NOT PRODUCT IS PEELED BEFORE EATEN).

2. NEW ZEALAND EMBASSY IN WASHINGTON HAS BEEN WORKING WITH THE ENVIRONMENTAL PROTECTION AGENCY (EPA) AND FDA SINCE DETENTION TO RESOLVE PROBLEM. UPON RECEIPT OF RESIDUE DATA, EPA WILL BE IN POSITION TO EXAMINE PETITION TO REGISTER USE OF IMIDAN AND GUTHION ON KIWIFRUIT. IF

SHIPMENTS MEET NEW TOLERANCE, FDA WILL RELEASE THEM.
NEW ZEALAND EMBASSY IS WAITING FOR THE MANUFACTURER
(STAUFFER) AND THE NEW ZEALAND MINISTRY OF AGRICULTURE
AND FISHERIES TO COMPILE RESIDUE DATA TO SUBMIT TO EPA.
WE HAVE TALKED WITH FDA AND EPA TO ENCOURAGE THEM TO

COME TO A SOLUTION AS QUICKLY AS POSSIBLE. AGENCIES ARE
AWARE OF THE TRADE AND ECONOMIC INTEREST OF NEW ZEALAND

IN THIS MATTER.

3. EPA HAS PROMISED EXPEDITIOUS REVIEW OF THE APPLICATION
AND IS IN REGULAR CONTACT WITH NEW ZEALAND EMBASSY HERE.
HOWEVER, THE FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE
ACT (FIFRA) REQUIRES THAT A NOTICE BE PUBLISHED IN THE
FEDERAL REGISTER GIVING INTERESTED PARTIES 30 DAYS TO
COMMENT BEFORE EPA CAN MAKE A FINAL RULING ON RESIDUE
LEVELS. FDA (UNDER THE FOOD, DRUG AND COSMETIC ACT)
WILL THEN BE GUIDED BY THESE TOLERANCES IN RELEASING
FRUIT.

4. DEPT IS CURRENTLY ENGAGED IN INTERAGENCY EFFORT TO
ESTABLISH USG POLICY ON THE EXPORT OF HAZARDOUS SUBSTANCES.
THE KIWIFRUIT EXPERIENCE MAY PROVE USEFUL IN SHAPING THIS
POLICY. WE WOULD APPRECIATE ANY INFORMATION YOU CAN
DEVELOP WHICH WOULD CLARIFY HOW THE PROBLEM OCCURRED. WE
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UNDERSTAND THAT KIWIFRUIT GROWERS HAVE BEEN USING
PESTICIDES ON FRUIT EXPORTED TO THE U.S. IN PRIOR YEARS.
WERE THE FRUIT GROWERS NOT PROPERLY ALERTED TO REGULATIONS
UNDER FIFRA?

5. WILL KEEP YOU INFORMED OF DEVELOPMENTS RELATING TO
RELEASE OF KIWIFRUIT SHIPMENTS.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXPORTS, FRUITS
Control Number: n/a
Copy: SINGLE
Draft Date: 03 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE196024
Document Source: CORE
Document Unique ID: 00
Drafter: LBLEVINE:JH
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780318-0869
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t197808101/aaaadgye.tel
Line Count: 103
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: dfcc8457-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 WELLINGTON 3788
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1544512
Secure: OPEN
Status: NATIVE
Subject: NEW ZEALAND EXPORTS OF KIWIFRUIT
TAGS: EAGR, ETRD, SENV, NZ
To: WELLINGTON
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/dfcc8457-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014